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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,913	01/15/2002	Joseph Mulvey	72856	2492
22242	7590	09/08/2004	EXAMINER	
FITCH EVEN TABIN AND FLANNERY 120 SOUTH LA SALLE STREET SUITE 1600 CHICAGO, IL 60603-3406			TRAN, MYLINH T	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/047,913	Applicant(s) MULVEY ET AL.	
	Examiner Mylinh T Tran	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) * | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>06/11/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

There is no "Summary of the Invention" in the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 11-16, 23-25 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by King et al. [US. 6,011,554].

As to claims 1, 23 and 28, King et al. discloses receiving first data from a user representing alphanumeric information and predicting at least one additional item of alphanumeric information (column 3, lines 17-20) based upon the first data and a personal context model (column 3, lines 24-30); modifying the personal language model based upon subsequently entered input data representing alphanumeric information from the user (column 7, lines 1-42).

As to claim 2, King et al. also discloses receiving first data includes detecting bio sourced physical indicia from a user (column 6, lines 35-40).

As to claim 3, King et al. shows detecting bio-sourced physical indicia from a user includes detecting a keypad key assertion (column 6, lines 15-40).

As to claim 4, King et al. also shows detecting bio-sourced physical indicia from a user includes detecting a plurality of sequential bio-sourced physical indicia from a user (column 3, lines 37-50).

As to claim 5, King et al. teaches detecting bio-sourced physical indicia from a user includes detecting multi-tap entry-mode bio-sourced physical indicia from a user (column 3, lines 29-36).

As to claim 6, King et al. also teaches detecting bio-sourced physical indicia from a user includes detecting disambiguation entry-mode bio-sourced physical indicia from a user (column 7, lines 1-12).

As to claim 7, King et al. provides predicting at least one additional item of alphanumeric information based upon the first data (column 3, lines 17-20) and a personal context model includes basing the prediction upon a personal context model (column 3, lines 24-30) comprising previously analyzed alphanumeric information for the user (see abstract, King et al. cites "Each object is also associated with a frequency of use. Object within the vocabulary modules that match the entered keystroke sequence are identified by the disambiguating system...The objects are listed in the selection list according to their frequency of use". It is clear that the King's system analyzed the information for the user base on user's frequency of use).

As to claim 11, King et al. also provides presenting predicted alphanumeric information to the user (column 7, lines 28-42).

As to claim 12, King et al. demonstrates presenting predicted alphanumeric information to the user comprises presenting only a single word to the user (column 3, lines 17-20).

As to claims 13 and 14, King et al. also demonstrates predicting a new at least one item of alphanumeric information based at least in part upon the first data and the personal

context model when at least a predetermined period of time expires without the user accepting the at least one additional item of alphanumeric information include predicting a new at least one item of alphanumeric information based at least in part upon the first data and the personal context model when at least a predetermined period of time as uniquely determined for the user expires without the user accepting the at least one additional item of alphanumeric information (column 15, lines 10-22 and column 18, lines 19-51).

As to claim 15, King et al. discloses presenting at least one synonym that corresponds to at least one item of predicted alphanumeric information (column 11, lines 6-9).

As to claims 16 and 24, King et al. also discloses providing a first device that receives the first data (column 6, lines 35-40); providing a second device that includes the personal context model and providing the personal context model from the second device to the first device (column 3, lines 15-36, computer system comprises a second device to store the user most frequently used words).

As to claim 25, King et al. provides using the personal language model to predict subsequent alphanumeric information when receiving input data representing alphanumeric information from the user includes using the personal language model to predict subsequent alphanumeric information when receiving input data at the second device representing alphanumeric information from the user (column 3, lines 15-36).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-10, 17-22 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al. in view of Timmins et al. [US. 2004/0096043].

As to claims 8 and 17, King et al. discloses the prediction upon a personal context model comprising previously analyzed alphanumeric information for the user includes basing the prediction at least upon previously analyzed alphanumeric information for the user as obtained from the user most frequently used information. However, King et al. does not show the prediction upon previously analyzed alphanumeric information for the user as obtained from e-mail files for the user. Timmins et al. shows the feature by teaching the caller's contacts and user profiles from email files. It would have been obvious to one of ordinary skill in the art, having the teachings of King et al. and Timmins et al. before them at the time the invention was made to modify the analyzing alphanumeric information for the user as obtained from the user most frequently used information as taught by King et al. to include the analyzing information for the user as obtained from the address book of email files of Timmins et al. with the motivation of being to create a personal language model that includes relatively likely to be used by this particular user that similarly occur in the user's communications with frequent occurrence as taught by Timmins et al.

As to claim 9, while King et al. shows predicting at least one additional item of alphanumeric information based upon the first data and a personal context model, Timmins et al. teaches the personal context model includes basing the prediction upon the personal context model comprising information content of a previously received message to which the user is replying (page 2, 0008).

As to claim 10, while King et al. shows predicting at least one additional item of alphanumeric information based upon the first data and a personal context model, Timmins et al. the personal context model includes basing the prediction upon a personal context model comprising a recipient device to which the at least one additional item of alphanumeric information is likely to be sent (page 1, 0007).

As to claim 18, Timmins et al. also shows providing a plurality of e-mail files for a user includes transmitting at least some information regarding the plurality of email files to a remote location (page 1, 0006).

As to claim 19, Timmins et al. teaches providing a plurality of e-mail files for a user includes providing subject matter content of the plurality of e-mail files (page 2, 0008).

As to claim 20, Timmins et al. also teaches providing a plurality of e-mail files for a user includes providing at least some content from an address book (page 1, 0007).

As to claim 21, while Timmins et al. discloses the plurality of e-mail files, King et al. teaches the developing a personal language model for the user based, at least in part, upon a statistical analysis of alphanumeric information usage with respect to user context (column 7, lines 18-42).

As to claim 22, while Timmins et al. discloses the plurality of e-mail files, King et al. also teaches developing a personal language model for the user based, at least in part, upon a statistical analysis of alphanumeric information usage with respect to user context (column 3, lines 15-36).

As to claim 26, Timmins et al. also provides receiving at least portions of the personal language model for the user at a second device includes receiving at least portions of the personal language model for the user at a second device comprising a two way wireless communication device (page 2, 0020).

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As to claim 27, Timmins et al. demonstrates receiving at least portions of the personal language model for the user at a second device includes receiving at least portions of the personal language model for the user at a second device comprising at least one of: a personal digital assistant; a pre-recorded audio playback device; a remote control, a teletext interface (page 5, 0039)

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238), may be used for formal After Final communications, (703) 746-4395 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 4.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a

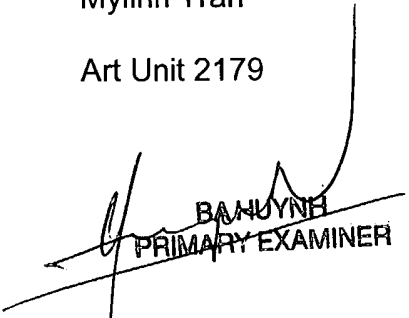
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properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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BAN HUYNH
PRIMARY EXAMINER